

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION AT JACKSON

FILED BY *[Signature]* D.C.  
05 JUN -2 PM 2:37  
ROBERT R. DI TROLIO  
CLERK OF U.S. DIST. CT.  
W.D. OF TN-JACKSON

LORI STEPHENS

V.

No.: 05-CV-01122-JDT-STA

WAL-MART STORES EAST, L. P.

MOTION TO AMEND COMPLAINT

COMES NOW, the Plaintiff, pursuant to Federal Rule of Civil Procedure 15(a), and with the permission of the Defendant (see attached written permission), and moves this Honorable Court for an order allowing the Plaintiff to amend her complaint to proceed against the proper Defendant. Plaintiff would request an order amending all references of Wal-Mart Stores, Inc. to Wal-Mart Stores East, L.P.

Respectfully submitted,

*[Signature]*  
\_\_\_\_\_  
Danny R. Ellis, BPR# 020747  
Attorney for the Plaintiff  
1289 N. Highland Ave.  
P.O. Box 3146  
Jackson, TN 38303-3146  
731-988-9900

**MOTION GRANTED**

DATE: *June 02, 2005*

*S. Thomas Anderson*

S. Thomas Anderson  
U.S. Magistrate Judge

FILED BY *[Signature]* D.C.  
05 JUN -3 PM 3:46  
ROBERT R. DI TROLIO  
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W.D. OF TN-JACKSON

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing pleading has been mailed via U.S. Mail, postage prepaid, to Clinton J. Simpson, Attorney for Defendant, 165 Madison Avenue, Suite 2000, Memphis, TN 38103, this the 12<sup>th</sup> day of May, 2005.



DANNY R. ELLIS

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April 25, 2005

Dany R. Ellis, Esq.  
128 N. Highland Avenue  
Post Office Box 3146  
Jackson, Tennessee 38103-3146

Re: Lori Stephens v. Wal-Mart Stores East, L.P.

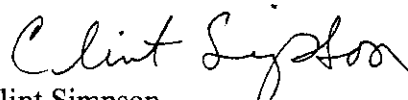
Dear Mr. Ellis:

I will be representing Wal-Mart Stores East, L.P. in this matter. We filed a Notice of Removal and Answer in this matter on April 25, 2005 and have enclosed copies for your records. Please note that Wal-Mart Stores East, L.P. is the proper entity in this action. Please amend your Complaint to reflect Wal-Mart Stores East, L.P. as the proper entity as opposed to Wal-Mart Stores, Inc. We will of course consent to any such amendment.

I look forward to working with you on this matter.

If you have any further questions or comments regarding this matter, please do not hesitate to contact me. I appreciate your cooperation in this matter.

Very truly yours,

  
Clint Simpson

CJS:tmh

Enclosures

M CJS 875359 v1  
2825865-000186 04/25/05



## Notice of Distribution

This notice confirms a copy of the document docketed as number 4 in case 1:05-CV-01122 was distributed by fax, mail, or direct printing on June 6, 2005 to the parties listed.

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Clinton J. Simpson  
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165 Madison Avenue  
Memphis, TN 38103

Honorable James Todd  
US DISTRICT COURT